

## Message Text

CONFIDENTIAL

PAGE 01 TOKYO 15646 110702Z  
ACTION EB-08

INFO OCT-01 EA-10 ISO-00 /019 W  
-----032838 110705Z /13  
R 110624Z OCT 77  
FM AMEMBASSY TOKYO  
TO SECSTATE WASHDC 1831

C O N F I D E N T I A L TOKYO 15646

STADIS//////////

FROM KATZ FOR COOPER (E) AND BIELLER (EB/TCA)  
E.O. 11652: GDS  
TAGS: EAIR, JA  
SUBJECT: U.S. CIVAIR DELEGATION

1. IT HAS BECOME APPARENT THAT NEITHER THE U.S. NOR JAPANESE DELEGATION IS PREPARED TO REVEAL ITS HAND AS WE GO THROUGH PROCESS OF ADDRESSING EACH ISSUE SPARATELY. HAVING DISCOVERED THAT WE HAVE DIAMETRICALLY OPPOSITE POSITIONS ON WHETHER CHARTERS (AND LOW FARES) SHOULD BE INCLUDED IN ANY FINAL PACKAGE, WE ARE NOW GOING THROUGH THE NECESSARY, BUT INCONCLUSIVE, EXERCISE OF EXCHANGING VIEWS ON EACH ISSUE, WHERE EACH SIDE IS TRYING TO ELICIT CONCESSIONS FROM OTHER BUT NEITHER IS PREPARED TO GO FIRST. WE ALSO HAVE RECEIVED CLEAR SIGNALS THAT JAPANESE CHAIRMAN DOES NOT WANT A BREAKDOWN IN TALKS AND THEREFORE MAY NOT WANT FULLY TO CONFRONT CHARTER LINKAGE ISSUE PUBLICLY IN OPEN MEETINGS. UNLESS WE DO SOMETHING TO BREAK IMPASSE, REMAINING SEVEN DAYS OF TALKS ARE LIKELY TO BE NO MORE THAN CONTINUED POLITE FENCING AND WE WILL ENTER NEXT ROUND IN NOVEMBER WHERE WE STARTED CURRENT ROUND.

2. AFTER WE FINISH FIRST GO AROUND THROUGH EACH ISSUE, PROBABLY ON OCTOBER 12, THERE WILL BE NOWHERE TO GO EXCEPT TO FACE THE CHARTER LINKAGE ISSUE AGAIN.  
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JAPANESE HAVE PRIVATELY EXPRESSED A PREFERENCE TO ADDRESS THIS SENSITIVE QUESTION WITHOUT JAL OBSERVERS PRESENT. I SEE NO WAY MYSELF THAT TWO DELEGATIONS CAN OVERCOME THE "WHO GOES FIRST" PROBLEM IN STRUCTURED PELNARY SESSIONS WHERE STATEMENTS TEND TO BE MADE FOR POSTURING.

3. I HAVE THEREFORE TOLD OUT TECHNICAL ADVISERS (ATA, NACA, AND ALPA) THAT I MAY HAVE TO EXERCISE THE RIGHT TO EXCLUDE THEM FROM SOME MEETINGS NEXT WEEK BECAUSE IT IS LIKELY TO BE DESIRABLE TO HOLD SOME MEETINGS WITH A LIMITED NUMBER OF PERSONS PRESENT. THIS, OF COURSE, APPLIES AS MUCH TO USG MEMBERS OF THE DELEGATION AS TO THE PUBLIC ADVISERS. THERE IS NO WAY I CAN ESTABLISH IN ADVANCE HOW MANY MEETINGS SHOULD BE RESTRICTED OR PRECISELY HOW THEY SHOULD BE STRUCTURED, IF ONLY BECAUSE WE CANNOT ESTABLISH THE FORMAT UNILATERALLY.

4. I APPRECIATE THAT THE QUESTION OF THE PARTICIPATION OF PUBLIC ADVISERS IN MEETINGS IS PARTICULARLY SENSITIVE AT THIS TIME AND THAT THE INDUSTRY ADVISERS WILL BE QUICK TO CHALLENGE ANY DECISION TO EXCLUDE THEM. HOWEVER, THE FORMAT I PLAN TO FOLLOW IS NOT INCONSISTENT WITH PAST PRACTICE OR WITH THE POLICIES ON PUBLIC ADVISER PARTICIPATION WE ARE NOW DEVELOPING. MOREOVER, THE FORMAT IS NECESSARY FROM A NEGOTIATING VIEWPOINT, SINCE A CONTINUED STALEMATE IN THE TALKS WILL NOT ACHIEVE OUR OBJECTIVES AND, IF IT CONTINUES THROUGH THE END OF THE YEAR, WILL LIKELY LEAD TO AN AVIATION CONFRONTATION. SUCH A CONFRONTATION FOR SUBSTANTIVE REASONS IS ONE THING, BUT A CONFRONTATION BECAUSE WE ARE STUCK WITH A PROCEDURAL IMPEDIMENT IS CONFIDENTIAL

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FOOLISH.

5. IN ANY RESPONSES TO INDUSTRY AND/OR HILL REPRESENTATIONS, REQUEST YOU EMPHASIZE THAT PUBLIC ADVISERS HAVE BEEN TREATED AS FULL MEMBERS OF U.S. DELEGATION. THEY HAVE ATTENDED ALL DELEGATION MEETINGS AND ALL PLENARY MEETINGS AND IT IS MY INTENTION TO CONTINUE THIS PRACTICE. AT SAME TIME, I MUST AS CHAIRMAN OF DELEGATION RESERVE RIGHT TO HOLD RESTRICTED MEETINGS AS TACTICAL SITUATION WARRANTS. TO REQUIRE THAT ALL MEETINGS BE HELD IN PLENARY WOULD BE UNPRECEDENTED STYLE OF NEGOTIATIONS WHICH WOULD VIRTUALLY ASSURE FAILURE OF NEGOTIATIONS.  
MANSFIELD

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## Message Attributes

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**Current Classification:** UNCLASSIFIED  
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**Decaption Date:** 22 May 2009  
**Decaption Note:** 25 YEAR REVIEW  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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